

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**CHRISTOPHER DEGROOT, on behalf of
himself and all others similarly situated; and
STEVEN SHOWALTER, on behalf of
himself and all others similarly situated;**

**Plaintiffs,
vs.**

**NEBRASKA BOOK COMPANY, INC.,
NEBRASKA BOOK HOLDINGS, INC.,
CONCISE CAPITAL MANAGEMENT, LP,
and AB LENDING SPV I LLC, d/b/a
Mountain Ridge Capital;**

Defendants.

4:23CV3041

**AMENDED
CASE PROGRESSION ORDER**

This matter comes before the Court on Plaintiffs' Unopposed Motion for Extension of Deadlines ([Filing No. 89](#)). After review of the motion, and for good cause shown,

IT IS ORDERED that Plaintiffs' Unopposed Motion for Extension of Deadlines ([Filing No. 89](#)) is granted, and the case progression order is amended as follows:

- 1) The status conference set on March 20, 2024, at 11:00 a.m. is cancelled. The status conference to discuss case progression and the parties' interest in settlement is rescheduled before the undersigned magistrate judge on **May 29, 2024, at 10:30 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is extended to **June 4, 2024**.
- 3) Motion to Certify a Class Action.
 - a. Any motion to certify this case as a class action shall be filed by **June 18, 2024**, in the absence of which any claim in the pleadings that this is a class action shall be deemed abandoned, and the case shall proceed, for purposes of Fed. R. Civ. P. 23, as if a motion for class certification had been filed and denied by the Court.
 - b. Defendants shall file their response to Plaintiffs' class certification motion by **July 2, 2024**.
 - c. Plaintiff shall file its reply in support of motion for class certification by **August 6, 2024**.

- 4) The deadline for filing motions to dismiss and motions for summary judgment is **August 6, 2024.**
- 5) The deadlines for expert witness identification and disclosure, and the filing of *Daubert* motions remain stayed.
- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 2nd day of February, 2024.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge